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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

DING CHANG YU,

Plaintiff,

v.

Attorney General of the United States,  
MICHAEL MUKASEY;  
U.S. Department of Homeland Security,  
MICHAEL CHERTOFF, Secretary;  
U.S. Citizenship and Immigration Services,  
ANITA ERFAN, Director of San Jose Office;  
U.S. Citizenship and Immigration Services,  
JONATHAN "JOCK" SCHARFEN, Director;  
and Federal Bureau of Investigation,  
ROBERT S. MUELLER III, Director,

Defendants.

No. C 09-1008 PVT

**STIPULATION TO DISMISS; AND  
~~PROPOSED~~ ORDER**

Plaintiff, by and through his attorney of record, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action without prejudice to renewal in light of the fact that the United States Citizenship and Immigration Services agrees, barring any unforeseen circumstances, to adjudicate Plaintiff's application within 30 days of a full and complete interview with Plaintiff's mother, Yong Yi Ou. Plaintiff agrees that his mother will request and appear for an interview with USCIS when she is physically and mentally able.

Stipulation to Dismiss  
C 09-1008 PVT

Each of the parties shall bear their own costs and fees.

Dated: June 24, 2009

Respectfully submitted,

JOSEPH P. RUSSONIELLO  
United States Attorney

\_\_\_\_\_/s/\_\_\_\_\_  
ILA C. DEISS<sup>1</sup>  
Assistant United States Attorney  
Attorneys for Defendants

Dated: June 24, 2009

\_\_\_\_\_/s/\_\_\_\_\_  
MING JI  
HE LU  
Attorneys for Plaintiff

**ORDER**

Pursuant to stipulation, IT IS SO ORDERED.

Date: 6/24/09

  
\_\_\_\_\_  
PATRICIA V. TRUMULL  
United States Magistrate Judge

<sup>1</sup>I, Ila Deiss, hereby attest that I have on file all holograph signatures for any signatures indicated by a “conformed” signature (/s/) within this efiled document.